

# WILLKIE FARR & GALLAGHER<sub>LLP</sub>

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August 4, 2005

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-325  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

Re: Unbundled Access to Network Elements, Review of the Section 251 Unbundling  
Obligations of Local Exchange Carriers, WC Dkt. No. 04-313, CC Dkt. No. 01-338  
Submission of Acknowledgements Concerning Compliance with Protective Order

Dear Ms. Dortch:

On behalf Time Warner Telecom, Inc. ("TWTC"), in accordance with the procedures outlined in the Protective Order adopted on August 20, 2004 in the above-referenced proceedings,<sup>1</sup> I am submitting herewith a copy of the Acknowledgement of Confidentiality executed by Randy Branitsky, outside counsel for TWTC, who will require access to confidential materials of the filings in the above referenced proceedings. A list of the parties from whom confidential materials are requested is attached.

Each of the parties listed in the enclosed certificate of service has been separately served, via fax and overnight mail, with this letter and signed Acknowledgement of Confidentiality. If confidential information from additional parties is sought, they will be served with Acknowledgements of Confidentiality as well.

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<sup>1</sup> See *Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, Order, 19 FCC Rcd 16292 (2004).

Please do not hesitate to call us at 202-303-1000 if any questions should arise in connection with this submission.

Respectfully submitted,

/s/  
Jonathan Lechter

**WILLKIE FARR & GALLAGHER LLP**  
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ATTORNEYS FOR TIME WARNER  
TELECOM, INC.

## APPENDIX B

Acknowledgment of Confidentiality

## CC Docket No. 01-338 &amp; WC Docket No. 04-313

I hereby acknowledge that I have received and read a copy of the Protective Order in the above-captioned proceeding, and I understand it. I agree that I am bound by the Protective Order and that I shall not disclose or use Stamped Confidential Documents or Confidential Information except as allowed by the Protective Order. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission.

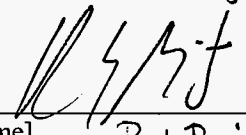
Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Counsel or consultant to a party or other person described in paragraph 5 of the foregoing Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Protective Order.

I hereby certify that I am not involved in "competitive decision-making" as that term is used in the definition of In-House Counsel in paragraph 2 of the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Confidential Documents and Confidential Information are used only as provided in the Protective Order; and (2) Stamped Confidential Documents are not duplicated except as specifically permitted by the terms of paragraph 10 of the Protective Order. I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Confidential Documents or Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

Executed at Washington DC this 3d day of August, 2005.

  
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[Name] Rachel Brantsky  
[Position] Wilkie Farr & Gallagher LLP  
[Address] 1875 K Street, Washington DC 20006  
[Telephone] 202-303-1000

### CERTIFICATE OF SERVICE

I, Jonathan Lechter, do hereby certify that on this 3rd day of August\*, 2005, I caused to be served a true and correct copy of the foregoing Acknowledgements by delivering copies thereof by overnight delivery and facsimile to the following:

<u>Verizon</u> Jennifer Hoh Verizon 1515 N. Courthouse Road 5 <sup>th</sup> Floor Arlington VA., 22201 Fax: 703-351-3662	<u>SBC</u> Kevin Walker Kellogg, Huber, Hanson, Todd & Evans, PLLC Sumner Square 1615 M St. N.W. Suite 400 Washington, D.C. 20036-3209 Fax: 202-326-7999
<u>BellSouth Corporation</u> Anthony V. Jones Senior Paralegal BellSouth 1133 21st Street, Suite 900 Washington, D.C. 20036 Fax: 202-463-4195	<u>Qwest</u> Christopher K. Calvert Wilkinson Barker Knauer, LLP 2300 N. St. N.W. Washington D.C. 20037-1128 Fax: 202-783-5851
<u>AT&amp;T</u> David Petron Sidley Austin Brown & Wood LLP 1501 K Street N.W. Washington, D.C. 20005 Fax: 202-736-8711	<u>Sprint</u> Jeb Benedict 401 9th Street NW, Suite 400 Washington DC 20004 Fax: 202-585-1897
Gary Remondino* Wireline Competition Bureau Federal Communications Commission 445 12 <sup>th</sup> Street, S.W.	<u>New Jersey Ratepayer Advocate</u> Christopher White 31 Clinton St. 11 <sup>th</sup> Floor Newark NJ, 07102 Fax: 973-624-1047

/s/Jonathan Lechter

\*via e-mail on the 4<sup>th</sup> day of August.